Remark

Taking the example of Claim 1, several operations are recited in combination. These include (emphasis added):

-) receiving a user identification;

-) searching a set of user-definable preference lists that each identify a plurality of channels, to identify preference **lists for the identified user;**

-) presenting the identified preference **lists** to the user;

-) receiving **a selection of a** presented identified preference **list from the user;**

Reviewing the cited references, there is no reference that suggests that a single user have more than one user-identified preference list. Ellis and Alten show favorite channel lists but only in a very basic form. In Ellis, for example, there are three favorite channel lists (col. 8, line 19 et seq.). However, these are not for an identified user. Ellis does not suggest any user identification process. The Examiner has relied on Herz to show multiple preference lists for each user, but Herz does not show this. Herz shows customer profiles to reflect different moods of a particular viewer. The profiles are not preference lists but are used in some complex algorithm to select programs that may be attractive to the customer.

Similarly, there is no reference to suggest that a user select a preference list from a presentation of multiple lists for the one user. In Ellis, the user can push any one of the three buttons 48 on the remote control but there is no "searching" or "presenting" as set forth in the claims, just as there is no "user identification" as set forth in the claims. In Herz, even if the customer enters a password and selects a mood, there has been no presentation of preference lists that each identify a plurality of channels and there has

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been no selection of a presented preference list. Instead, in Herz, the customer selects a mood. The Herz system then takes over and applies an agreement matrix to try to find an attractive program for the indicated mood.

Claims 6, 11, and 16 contain recitations similar to those of Claim 1, discussed above. Accordingly, since, the references fail to teach or suggest the explicit limitations of these claims, these claims are believed to be allowable.

The Examiner asserts that Rzeszewski teaches searching a user definable preferences list while in the select channel mode and selecting one of the channels. Rzeszewski does describe a single select-channel list, somewhat similar to that in Alten and Ellis. However, as with Alten and Ellis, this select-channel list is not for an identified user. Rzeszewski also fails to suggest any user identification process. As mentioned above, the identification process in Herz is about profiles and not channel lists.

Claims 37 and 41 are directed to systems which provide an indication to the user when the user has completed a cycle of the preferences list. With respect to these claims, the Examiner is referred to Applicants' previous remarks:

"In Ellis, an automatic scan is stopped when all available channels have been scanned. (11:5) There is no suggestion that the scan be stopped under any other circumstances, such as the "BROWSE" mode or manual scanning.

"Claim 37 recites, "providing an indication to the user when the user has completed a cycle of the preferences list" together with "continuously cycling through the preferences list." There is no suggestion in Ellis of continuously cycling through a preferences list together with providing an indication that a cycle has been completed.

On the contrary Ellis requires that the cycling be stopped. In addition, Claim 37 can be applied to cycling through the preferences list automatically (Claim 38) or manually (Claim 40). Ellis can only provide a stop of the scan when the scan is automatic. Finally, Ellis does not teach a providing an indication for a preferences list that includes multiple sources."

Conclusion

Applicants respectfully submit that the rejections have been overcome by the remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims be allowed.
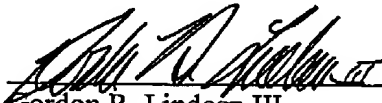
Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Respectfully submitted,

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